

**REMARKS**

Claims 1, 3, 5-6, 8, 10-11, 13, 15-19, 21, and 23 are pending in the present application. Of those, claims 1, 10, and 17 are independent claims. Claims 1, 3, 5, 10, 13, 15-19, 21, and 23 are amended by this Response. Claims 2, 4, 7, 9, 12, 14, 20, and 22 are canceled by this Response. New claims 24-27 are added by this Response.

**Claim Rejections – 35 U.S.C. § 112**

Claims 3 and 5-7 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully traverses this rejection.

The Examiner asserts that claims 3 and 5-7 are indefinite because it is not clear as to what high-density optical disc is being referred to. Applicant respectfully submits that the claims are amended to clarify for the Examiner the high density optical disc and the high density rewritable optical disc. Accordingly, Applicant respectfully requests the rejections under 35 U.S.C. § 112, second paragraph, be withdrawn.

**Claim Rejections**

Claims 1-6 and 8-23 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Maeda (US 5,915,263, hereinafter “Maeda”). Claims 7, 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Maeda in view of common knowledge in the art. Applicant respectfully traverses these rejections.

Applicant respectfully submits that Maeda fails to disclose encrypting data **using** one of synchronous data, address unit number information, and disc radius information recorded on the high-density optical disc. To the contrary, Maeda at col. 9, lines 55-60 only discloses that a

reproduction RF signal is supplied to an encoder/decoder. Nowhere does Maeda disclose that synchronous data, address unit number information, or disc radius information is used to encrypt other data. The Examiner asserts at page 3 of the current Office Action that the encrypted data (encoded data) in Maeda include synchronous data, address data, and radius information. Applicant respectfully submits that even assuming for the sake of argument that Maeda does disclose the encrypted data include synchronous data, address data, and radius information (which Applicant does not admit), Maeda does not use the synchronous data, address data, and radius information to encrypt data. Accordingly, Maeda fails to disclose “data is encrypted using one of synchronous data, address unit number information, and disc radius information recorded on the high-density optical disc” as required by claim 1. Accordingly, claim 1 is patentable for at least the above reasons. Claim 10 includes features somewhat similar to those discussed above in regard to claim 1, and therefore, claim 10 is patentable for at least somewhat similar reasons as claim 1. Claims 3, 5-6, 8, 11, 13, and 15-16, which depend from one of claims 1 and 10, are patentable for at least the same reasons discussed above in regard to claims 1 and 10 as well as on their own merits.

Applicant further respectfully submits that Maeda fails to disclose decrypting encrypted data using a corresponding one of the read synchronous data, the address unit number information, and the disc radius information used to encrypt the data. To the contrary, as noted above, Maeda only discloses that a reproduction RF signal is supplied to an encoder/decoder. Nowhere does Maeda disclose that synchronous data, address unit number information, or disc radius information is used to decrypt encrypted data. Accordingly, Maeda fails to disclose “decrypting encrypted data using a corresponding one of the read synchronous data, the address unit number information, and the disc radius information used to encrypt the data” as required by claim 17. Accordingly, claim 17 is patentable for at least the above reasons.

Claims 18-19, 21, and 23, which depend from claim 17, are patentable for at least the same reasons discussed above in regard to claim 17 as well as on their own merits.

In view of the above, Applicant respectfully requests the rejections to the claims under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) be withdrawn.

#### **New Claims**

Applicant respectfully submits that new claims 24-27, which depend from one of claims 1, 10, and 17, are patentable for at least the same reasons discussed above in regard to claims 1, 10, and 17 as well as on their own merits.

**CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the claims in connection with the present application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a three (3) month extension of time for filing a reply to the outstanding Office Action and submit the required \$1050.00 extension fee herewith.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

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